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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,310	02/07/2002	Katsushi Fujii	219204US6	7061

22850 7590 12/02/2009
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EXAMINER

HUYNH, BA

ART UNIT	PAPER NUMBER
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2179

NOTIFICATION DATE	DELIVERY MODE
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12/02/2009

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/067,310
Filing Date: February 07, 2002
Appellant(s): FUJII ET AL.

Edward W. Tracy, Jr.
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 8/21/09 appealing from the Office action mailed 6/23/09.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The following are the related appeals, interferences, and judicial proceedings known to the examiner which may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal:

10/067304 and 10/067350

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

20020071540	Dworkin	6-2002
20060090013	Achacoso et al	4-2006
6363352	Dailey et al	3-2002

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent application publication 2002/0071,540 (Dworkin), in view of US patent application publication 2006/0090013 (Achacoso et al), further in view of US patent #6,363,352 (Dailey et al), further in view of US patent application publication 2002/0071540 (Takagi et al)

- As for claims 1-4: Dworkin teaches a computer implemented system and corresponding method connected to a network server (figure 2) for managing a first service of distributing contents (0027) in real-time according to a reservation made in advance by a first terminal, and, to a second terminal for requesting the use of first service and the use of a second service of providing a chat space (0002-0008, 0015-0019, 0022), comprising the means/steps for:

acquiring means configured to acquire reservation information, sent by the first terminal, to the information processing apparatus from a reservation database in order to provide the first service for a first period of time (0015, 0023, 0025, 0027). Per Dworkin, the user is communicate using a webpage (0007, 0018,

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0019, 0024, 0026, see also claim 8), thus it appears that the reservation information includes an Internet web address for a user of a 1st terminal. Even if it is not, implementation of the Internet address reservation information in webpage-based conferencing is well known in the art and is disclosed by Achacoso et al (0108). It would have been obvious to one of skill in the art, at the time the invention was made, to combine Achacoso's teaching of internet address reservation information in webpage-based virtual conferencing to Dworkin. Motivation of the combining is for the obvious advantage of being user friendly for providing access to the conference as suggested by Achacoso (0007, 0108). generating means configured to generate the chat space for each streaming content corresponding to the reservation (0019-0022, 0025-0028), providing means for providing the second service for the terminals (0022, 0024, 0025), means for recording and playing back (storing in a file, 0027). Dworkin fails to clearly teach that the generation unit generates the group chat space for a second period of time that commences earlier than the first period of time. However in the same field of invention Dailey teaches a generation unit to generate the group chat space earlier than a scheduled time (i.e., earlier than the first period of time, 3:14-32, 5:18-36, 12:30-36). It would have been obvious to one of skill in the art, at the time the invention was made, to combine Dailey teaching to Dworkin for generating the group chat space earlier than a scheduled time. Motivation of the combining is for giving participants enough time for preparation. The combined Dworkin and Dailey fail to teach that the second period of time ends later than the first period of time. However, in light of

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Dworkin and Dailey, it would have been obvious to one of skill in the art, at the time the invention was made, to implement that the second period of time ends later than the first period of time. Motivation of the combining is for giving participants enough time to wrap up.

In Dworkin it is inherently included that the content of the meeting (whole or part) is automatically supplied to the first terminal at scheduled time (0026). Even if it is not, automatically supplying the content of the meeting at scheduled time is well known in the art and is disclosed by Dailey (see Dailey 2:65-3:3 and 12:28-56). It would have been obvious to one of skill in the art, at the time the invention was made, to combine Dailey's teaching of automatically supplying the whole or part of the content of chatting performed in the chat space to Dworkin.

Motivation of the combine is for automating the service at scheduled time.

Although Dworkin teaches storing the content of the chat in a file, Dworkin is silent regarding storing the content of the group chatting in a shared file and sending the file to the first terminal after the meeting. However, in the same field of electronic conferencing, Takagi et al teach the storing the content of the group chatting in a shared file and sending the file to the first terminal (Takagi's 0083, 0084, 0187).

It would have been obvious to one of skill in the art, at the time the invention was made, to adapt Takagi's teaching to Dworkin for storing the content of the group chatting in a shared file and sending the file to the first terminal after the meeting.

Motivation of the combining is for reporting a copy of the meeting for management purpose. In light of the combining, it would have been obvious to

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one of skill in the art to implement sending the file after the end of the second period. KSR Int'l v. Teleflex Inc., 82 USPQ2d at 1395-1397.

Claims 5-9, 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent application publication 2002/0071,540 (Dworkin), in view of US patent application publication 2006/0090013 (Achacoso et al), further in view of US patent #6,363,352 (Dailey et al).

- As for claims 5, 11: Dworkin teaches a computer implemented system and corresponding method connected to a network server (figure 2) for managing a first service of distributing contents (0027) in real-time according to a reservation made in advance by a first terminal, and, to a second terminal for requesting the use of first service and the use of a second service of providing a chat space (0002-0008, 0015-0019, 0022), comprising the means/steps for:

acquiring means configured to acquire reservation information, sent by the first terminal, to the information processing apparatus from a reservation database in order to provide the first service for a first period of time (0015, 0023, 0025, 0027). Per Dworkin, the user is communicate using a webpage (0007, 0018, 0019, 0024, 0026, see also claim 8), thus it appears that the reservation information includes an Internet web address for a user of a 1st terminal. Even if it is not, implementation of the internet address reservation information in webpage-based conferencing is well known in the art and is disclosed by Achacoso et al (0108). It would have been obvious to one of skill in the art, at the time the invention was made, to combine Achacoso's teaching of internet address

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reservation information in webpage-based virtual conferencing to Dworkin.

Motivation of the combining is for the obvious advantage of being user friendly for providing access to the conference as suggested by Achacoso (0007, 0108).

generating means configured to generate the chat space for each streaming

content corresponding to the reservation (0019-0022, 0025-0028),

providing means for providing the second service for the terminals (0022, 0024, 0025), means for recording and playing back (storing in a file, 0027).

Dworkin fails to clearly teach that the generation unit generates the group chat space for a second period of time that commences earlier than the first period of time. However in the same field of invention Dailey teaches a generation unit to generate the group chat space earlier than a scheduled time (i.e., earlier than the first period of time, 3:14-32, 5:18-36, 12:30-36). It would have been obvious to one of skill in the art, at the time the invention was made, to combine Dailey teaching to Dworkin for generating the group chat space earlier than a scheduled time. Motivation of the combining is for giving participants enough time for preparation. The combined Dworkin and Dailey fail to teach that the second period of time ends later than the first period of time. However, in light of Dworkin and Dailey, it would have been obvious to one of skill in the art, at the time the invention was made, to implement that the second period of time ends later than the first period of time. Motivation of the combining is for giving participants enough time to wrap up.

In Dworkin it is inherently included that the content of the meeting (whole or part) is automatically supplied to the first terminal at scheduled time (0026). Even

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if it is not, automatically supplying the content of the meeting at scheduled time is well known in the art and is disclosed by Dailey (see Dailey 2:65-3:3 and 12:28-56). It would have been obvious to one of skill in the art, at the time the invention was made, to combine Dailey's teaching of automatically supplying the whole or part of the content of chatting performed in the chat space to Dworkin.

Motivation of the combine is for automating the service at scheduled time.

- As for claims 6, 12: The reservation includes a genre of the contents 1426, 1468 (Dailey's fig 5). It would have been obvious to one of skill in the art at the time the invention was made, to combine Dailey's teaching of the genre of content to Dworkin for indicating the genre of the content to be discussed.
- As for claims 7, 13: The reservation information includes a description of the content 1426, 1468, 1464 (Dailey's fig 5). It would have been obvious to one of skill in the art at the time the invention was made, to combine Dailey's teaching of the description of content to Dworkin for describing the content to be discussed.
- As for claims 8, 14: The reservation includes reserved date and time (Dworkin's 0025; Dailey's 3:11-17, fig 5).
- As for claims 9, 15: The reservation information includes email address of the 1st user (Dworkin's 0008, 0019; Dailey's 3:11-17).

Claims 10, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent application publication 2002/0071,540 (Dworkin), in view of US patent application publication 2006/0090013 (Achacoso et al), further in view of US patent #6,363,352

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(Dailey et al), further in view of US patent application publication 2002/0071540 (Takagi et al)

- As for claims 10, 16: Although Dworkin teaches storing the content of the chat in a file, Dworkin is silent regarding storing the content of the group chatting in a shared file and sending the file to the first terminal after the meeting. However, in the same field of electronic conferencing, Takagi et al teach the storing the content of the group chatting in a shared file and sending the file to the first terminal (Takagi's 0083, 0084, 0187). It would have been obvious to one of skill in the art, at the time the invention was made, to adapt Takagi's teaching to Dworkin for storing the content of the group chatting in a shared file and sending the file to the first terminal after the meeting. Motivation of the combining is for reporting a copy of the meeting for management purpose. In light of the combining, it would have been obvious to one of skill in the art to implement sending the file after the end of the second period.

KSR Int'l v. Teleflex Inc., 82 USPQ2d at 1395-1397.

(10) Response to Argument

Dworkin discloses a system/method for hosting a conference. A user or group of users leases conferencing facilities from a host application service provider (ASP). The host ASP provides conference hardware and software, and an interface to users. Users access the host ASP via dial-in or web-based interface to reserve a conference, administer a conference remotely. The host ASP provides instant message, email, voice mail, calendar, billing and tracking, wireless communication facilities (0003), shared authentication data (0026, 0028) to members of the conference. The host ASP includes a bank of conference services. The host allocates

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conference services to a user interface in response to the user request, to enable transmission and reception of conference data (0004). Conference data include command data and audio/video data (0005). The user interface and the host exchange conference data over the Internet. The user interface comprises a web-based interface having a web page generated by the host (0007). Conferees receive distribution notice according to reserved addresses (0027). Conferees are provided a conference web page having email service, IM service, conference window service, and authentication service (0016, 0018, 0024-0027). A chat space is generated at scheduled time (0026).

In response to the argument that the combined references do not teach the reservation information including an Internet web page address of a user of the first terminal, Dworkin discloses that the user is communicate using a webpage wherein users access the host ASP via web-based interface (0003, 0007), users are provided with a fully supported webpage (fig. 3) with built-in conferencing capability (0018), the group user 100E maybe responsible for creating and maintaining its own web pages (0019), users are provided with password protected URL to access conference room (0028), thus it appears that the reservation information includes an Internet web address (the URL or the user maintained webpage) such that conference members may access the conference. Even if it is not, implementation of Internet address reservation information in webpage-based conferencing is well known in the art and is disclosed by Achacoso et al (0108). Achacoso discloses web hyperlink of a conference being pushed to conferees. Conferees access conference information via a URL (0007, 0072, 0073, 0075 0089, 0108). It would have been obvious to one of skill in the art, at the time the invention was made, to combine Achacoso's teaching of Internet address reservation information in webpage-based virtual conferencing to Dworkin. Motivation of the combining is for the obvious advantage of

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being user friendly for providing access to the conference as suggested by Achacoso (0007, 0108).

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Ba Huynh/

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